

EXHIBIT 1

The First Step Act ("FSA") was enacted on December 21, 2018. The provisions of the Act are, for the most part, codified into law in Title 18, Chapter 229, section D.

GENERAL PROVISIONS

The Attorney General was tasked with the responsibility of developing recommendations regarding Evidence-Based Recidivism Reductions programs and Productive Activities (collectively "EBRRs"), and providing rewards and incentives to prisoners to reduce their propensity to re-offend. The Attorney General, in consultation with a host of entities, including an Independent Review Committee, has a duty to: review existing prisoner risk and needs assessments as of the enactment of the FSA; to develop EBRRs in accordance with 18 USC 3633; and to conduct research, review, revise and report on the foregoing. See 18 USC 3631.

NEEDS ASSESSMENT AND PATTERN SCORING

Certain provisions of the FSA are only available to prisoners at pre-defined recidivism risk levels. Therefore, the first goal of the FSA was to create a Risk and Needs Assessment System. The system, required to be created by the BoP 210 days after enactment (July 19, 2019), was named the Prisoner Assessment Tool Targeting Estimated Risk and Needs ("PATTERN") scoring system. It is to be used to assess and determine through the use of an algorithm the recidivism risk, the risk of violent or serious misconduct of each prisoner, to determine their needs, and to classify each as having a Minimum, Low, Medium, or High risk. Once assessed, the system is used to assign EBRRs so that all prisoners have a "meaningful opportunity to reduce their classification", to address their criminogenic needs and that all prisoners "are able to successfully participate in such programs." The system can be used to determine when to provide the incentives and rewards permitted in the FSA and ultimately to determine when a prisoner is ready to transfer to prerelease custody. See 18 USC 3632 (a).

The PATTERN score uses various data points to assign each prisoner a numerical value for their risk. A prisoner accumulates points by: age; criminal history; violence of the instant offense; if the instant offense is sex-based; escape history; and disciplinary incident reports. A prisoner lessens his score by: having a ED or High School diploma; drug education; programs through EBRRs; and work credit. Since most of the deleterious data is unchangeable during the prisoner's incarceration, the only change that would increase a prisoner's score would result from a disciplinary incident report.

IMPLEMENTATION

The FSA allows for 180 days after its enactment to release the Risk and Needs assessment system. On January 15, 2020, or 10 days after that, a two year phase-in period began in which the BoP was required to provide EBRRs for all prisoners in its custody, and to develop and validate the PATTERN system. See 18 USC 3631(h)(2). Any incentives should be available on the enactment date of the FSA. The Director of the BoP shall provide all prisoners opportunities to actively participate in EBRRs throughout the term of their incarceration. The FSA mandates that all prisoners should be evaluated and their ETCs computed prior to January 15, 2022, the end of the phase-in period. See 18 USC 3621 (h)(2)(A).

REWARDS AND INCENTIVES

The system shall provide guidance on the type, amount, and intensity of EBRRs. The BoP is charged with assigning those EBRRs according to the needs, and tailored to meet those needs. See 18 USC 3632 (b). Various rewards are available to prisoners who "successfully participate" in EBRRs, including increased phone time, transfer to an institution closer to home, commissary spending increases, better email access, and preferred housing units. The most important reward is Earned Time credits ("ETCs"). Such credits are only available to prisoners deemed eligible.

ELIGIBILITY

In order to be eligible to receive ETCs a prisoner can not have committed certain crimes. A prisoner in this instance is a "person who is sentenced to a term of imprisonment pursuant to a conviction of a federal criminal offense, or a person in the custody of the BoP." See 18 USC 3635 (4). The instant crimes which disqualify a prisoner for ETCs are listed in 18 USC 3632 (d)(4)(D). The only crimes which would disqualify a person in the Minimum Security Camp from eligibility are a conviction of 18 USC 924 (b)(1)(A), a conviction involving Propanimide, or a leadership role in the selling of Heroin, Methamphetamine, or Propanimide. See 18

USC 3632 (d)(4)(D)(Ixiv, Ixvi, & Ixvii). The only instance in which a prisoner's prior convictions may disqualify them in for an instant conviction of a crime described in 18 USC 3559 (2)(c)(f) (a serious violent felony, i.e. murder, arson, kidnapping, etc.) and a prior conviction for a similar crime. See 18 USC 3632 (d)(4)(D)(li). Lastly, ETCs are not available to deportable prisoners.

EARNED TIME CREDITS

All eligible prisoners who "successfully participate" in EBRs shall earn 10 days for every 30 days of participation. Prisoners who have been ranked Minimum or Low in the PATTERN Scoring system shall receive an extra 5 days per 30.

By way of clarifying the concept of "successful participation," the BoP issued a memo on September 8, 2022. Between December 21, 2018, the date of the enactment of the FSA, and January 14, 2020, prisoners earned ETCs at the rate determined by their PATTERN score as calculated on April 28, 2021. (the date when the PATTERN score auto-calculation began) unless the inmate was incarcerated outside the facility, housed in the Special Housing Unit, or on refused/declined status for pre-FSA programming. From January 15, 2020, and ongoing, as long as a prisoner has completed all required surveys and recommended programs and is not outside the facility or in the Special Housing Unit they will earn ETCs at the rate determined by their current PATTERN score. Both prior and subsequent to this memo there has been no other policy published which discusses the exact process by which a prisoner may earn ETCs, and the statute is mute as to the definition of 30 days of successful participation.

These ETCs are not available for imprisonment prior to the enactment of the FSA (December 21, 2018), or during official detention prior to sentence commencement per 18 USC 3585 (a). ETCs shall be applied toward prerelease custody or supervised release pursuant to 18 USC 3624 (g).

ETCs are "in addition to any other rewards or incentives for which a prisoner is eligible." See 18 USC 3632 (d)(6).

The Director of the BoP shall develop guidelines for reductions of rewards gained under 18 USC 3632 (d) for infractions of the rules for prisoners. The Director shall outline the level of those reductions; must inform the prisoner in writing of the penalty being imposed, and must make the prisoner aware of the procedure to restore such rewards. See 18 USC 3632 (e).

APPLICATION OF TIME CREDITS

ETCs earned shall be applied toward prerelease custody or supervised release. In the case of a prisoner being placed in prerelease custody that prisoner must be a Minimum or Low PATTERN score, or have a petition granted by the Warden if he determines that the prisoner wouldn't be a danger to society, has made a good faith effort to lower their recidivism risk through EBRs, and is unlikely to recidivate. In the case of a prisoner being transferred to supervised release, the prisoner must be a Minimum or Low PATTERN score. See 18 USC 3624 (g)(1)(D).

There are two types of prerelease custody to which a prisoner may be transferred pursuant to earning ETCs: placement in a Residential reentry Center subject to the conditions set by the Director of the BoP, or; Home Confinement with monitoring and strict protocols as well as conditions set by the director of the BoP. If a prisoner has been given a period of supervised release, the Director of the BoP may transfer the prisoner to begin such term at an earlier date, not to exceed one year based on application of ETCs. See 18 USC 3624 (g)(2 & 3). The conditions of confinement in any case shall be "increasingly less restrictive" for prisoners with demonstrable compliance.

The Director of the BoP shall enter into agreements with United States Probation and Pretrial Services ("USPPS") taking into consideration the resource requirements of the USPPS. The Director of the BoP shall also ensure that there is sufficient prerelease custody capacity to accommodate all eligible prisoners. See 18 USC 3624 (g)(11).

Inmate Message - Federal Time Credits (FTC)
Auto-Calculation Launches

Recently, the Bureau has launched the Federal Time Credits (FTCs) auto-calculation application. All eligible inmates will be reviewed regardless of PATTERN risk level release date, and credits will be applied consistent with the final rules language and implementing text.

As a reminder, the unit team will determine an inmate's eligibility to earn FTCs based on the current conviction and prior criminal convictions.

The earning of FTCs is based on "earning status," and NOT participation and/or completion of individual programs. Inmates who refuse or fail to complete any portion of the needs assessment and/or refuse or decline any program recommended to address a specific identified need area, is considered "opted out" and will not earn FTCs.

The following items have been incorporated into the calculation of FTCs:

- While inmates can begin earning time credits starting with the enactment of the statute, the "presumed participation" period only extends from December 21, 2018, through January 14, 2020.
- During the "presumed participation" period and through April 28, 2021, the PATTERN risk level calculated on April 28, 2021 (PATTERN auto-calculation start date), will be used to determine the initial risk level and FTC earning rate.
- During the "presumed participation" period, only those days when the inmate was incarcerated outside the facility, housed in the Special Housing Unit, or on refused/declined status for a pre-FSA programming (e.g., FRP, Drug Education, GED, etc.) will be excluded from successful participation and credit will not be earned.
- From January 15, 2020, forward, all components of the SPARC-13 needs assessment must be complete to be eligible to earn FTCs. Failing to do so is considered "opted out." In other words, if an inmate fails to complete a required survey or declines to enroll in a recommended program which addresses a specific need, the inmate will not be eligible to earn FTCs.
- In order to earn or apply the higher earning rate of 15 days (for every 30 day period of successful EBRR or PA recommended), inmates need a PATTERN level of minimum or low risk or have dropped to a minimum or low risk level and maintained it for two consecutive assessment periods.

- FTCs are applied first toward release dates and then toward RRC/HC placement.
- Inmates must be otherwise eligible to participate in RRC/HC placement to apply FTCs to early release. While inmates continue to earn FTCs, inmates can only apply the FTCs if they have no detainers, unresolved pending charges, and/or unresolved immigration status issues.
- Eligible inmates will continue to earn FTCs toward early release until they have accumulated 365 days OR are 18 months from their release date, whichever happens first. At this point, the release date becomes fixed, and all additional FTCs are applied toward RRC/HC placement.
- FTCs will be updated monthly, and an FSA Time Credits Assessment worksheet will be maintained in the central files. The most current copy will be provided during the regularly schedule Program Review team meeting.
- FTCs earned toward RRC/HC placement will be applied in addition to release needs-based recommendations made under the Second Chance Act.
- FTCs may be applied toward early release in addition to the early release benefit for RDAP graduates; however, inmates are still required to complete the required 120-day RRC/HC placement. Dropping out of RDAP may result in the loss of both the RDAP early release benefit and early release due to FTCs if it is determined the inmate is "opting out" despite having an identified need.

EXHIBIT 3

OPI: LEGAL DEPARTMENT

Number: FTD 1330.18

Date: November 07, 2014

Attachment: 1

FCI FORT DIX, NEW JERSEY
INFORMAL RESOLUTION FORM (BP-8)

You are advised that prior to receiving and filing a Request for Administrative Remedy Form BP-9, you MUST ordinarily attempt to informally resolve your complaint through your Correctional Counselor. Briefly state ONE complaint below and list what efforts you have made to resolve your complaint informally and state names of staff contacted.

Date form issued and initials of Correctional Counselor: ST. 10/11/22

INMATE NAME James Bortolotti
 REGISTER NO. 73257-050
 BLDG. Camp

Date the incident complained of occurred: 10/6/22

Complaint and relief requested: SEE ATTACHED

CORRECTIONAL COUNSELOR:

Date BP-8 returned to Correctional Counselor: _____

Efforts made to informally resolve and staff contacted: _____

Date response given to inmate: _____
 _____ Counselor (sign)

Date BP-9 Issued: _____
 _____ Unit Manager (sign)

If complaint is NOT informally resolved: forward original attached to BP-9 form to the Legal Assistant.

James Bortolotti
Reg# 73257-050
Bldg - Camp

COMPLAINT and RELIEF REQUESTED:

I self surrendered to Fort Dix Camp on January 11, 2022. As of October 8, 2022, I have been incarcerated for 270 days, thereby earning 135 days of earned time credits allowed by the First Step Act. Applied against my GCT statutory date of April 20, 2023, those days would require my transfer to Supervised Release on December 7, 2022. Further, my adjusted Home Detention eligibility date is October 11. I ask to be released to Home Detention immediately as mandated by the law.

DCG 540*23 *	SENTENCE MONITORING	*	07-17-2022
PAGE 001 *	COMPUTATION DATA	*	15:30:42
	AS OF 07-17-2022		

REGNO...: 73257-050 NAME: BORTOLOTTI, JAMES

FBI NO.....: 543325LF0	DATE OF BIRTH: 11-26-1968	AGE: 53
ARS1.....: FTD/A-DES		
UNIT.....: UNIT CAMP	QUARTERS.....: V02-167L	
DETAINEES.....: NO	NOTIFICATIONS: NO	

FSA ELIGIBILITY STATUS IS: ELIGIBLE

THE FOLLOWING SENTENCE DATA IS FOR THE INMATE'S CURRENT COMMITMENT.

HOME DETENTION ELIGIBILITY DATE....: 02-11-2023

FINAL STATUTORY RELEASE FOR INMATE.: 04-20-2023 VIA GCT REL

WITH APPLIED FSA CREDITS.: 15 DAYS

THE INMATE IS PROJECTED FOR RELEASE: 04-05-2023 VIA FSA REL

REMARKS.....: 03-02-2022: PRD ADJ DUE TO FSA FTC APPLIED. E/CMW

RELEASE AUDIT COMPLETED ON 03-14-2022 BY DSCC

-----CURRENT JUDGMENT/WARRANT NO: 010 -----

COURT OF JURISDICTION.....: NEW JERSEY
 DOCKET NUMBER.....: 3:20-CR-00011-MAS-1
 JUDGE.....: SHIPP
 DATE SENTENCED/PROBATION IMPOSED: 12-01-2021
 DATE COMMITTED.....: 01-11-2022
 HOW COMMITTED.....: US DISTRICT COURT COMMITMENT
 PROBATION IMPOSED.....: NO

	FELONY ASSESS	MISDMNR ASSESS	FINES	COSTS
NON-COMMITTED.:	\$100.00	\$00.00	\$00.00	\$00.00
RESTITUTION...:	PROPERTY: NO	SERVICES: NO	AMOUNT:	\$3,173,063.54

G0002 MORE PAGES TO FOLLOW . . .

EXHIBIT 4

LTDCG 540*23 *
PAGE 002 *

SENTENCE MONITORING
COMPUTATION DATA
AS OF 07-17-2022

* 07-17-2022
* 15:30:42

REGNO...: 73257-050 NAME: BORTOLOTTI, JAMES

-----CURRENT OBLIGATION NO: 010 -----
OFFENSE CODE....: 899 OTHER/UNCLASSIFIABLE
OFF/CHG: 18:1014 & 18:2 LOAN AND CREDIT APPLICATIONS GENERALLY(CT1)

SENTENCE PROCEDURE.....: 3559 PLRA SENTENCE
SENTENCE IMPOSED/TIME TO SERVE : 18 MONTHS
TERM OF SUPERVISION.....: 3 YEARS
DATE OF OFFENSE.....: 04-06-2012

-----CURRENT COMPUTATION NO: 010 -----
COMPUTATION 010 WAS LAST UPDATED ON 03-02-2022 AT DSC AUTOMATICALLY
COMPUTATION CERTIFIED ON 01-14-2022 BY DESIG/SENTENCE COMPUTATION CTR

THE FOLLOWING JUDGMENTS, WARRANTS AND OBLIGATIONS ARE INCLUDED IN
CURRENT COMPUTATION 010: 010 010

DATE COMPUTATION BEGAN.....: 01-11-2022
TOTAL TERM IN EFFECT.....: 18 MONTHS
TOTAL TERM IN EFFECT CONVERTED...: 1 YEARS 6 MONTHS
EARLIEST DATE OF OFFENSE.....: 04-06-2012

JAIL CREDIT.....: FROM DATE THRU DATE
01-08-2020 01-08-2020

TOTAL PRIOR CREDIT TIME.....: 1
TOTAL INOPERATIVE TIME.....: 0
TOTAL GCT EARNED AND PROJECTED...: 80
TOTAL GCT EARNED.....: 0
STATUTORY RELEASE DATE PROJECTED: 04-20-2023
ELDERLY OFFENDER TWO THIRDS DATE: 01-09-2023
EXPIRATION FULL TERM DATE.....: 07-09-2023
TIME SERVED.....: 6 MONTHS 8 DAYS
PERCENTAGE OF FULL TERM SERVED...: 34.6
PERCENT OF STATUTORY TERM SERVED: 40.5

G0002 MORE PAGES TO FOLLOW . . .

FTDCG 540*23 *
PAGE 003 OF 003 *

SENTENCE MONITORING
COMPUTATION DATA
AS OF 07-17-2022

* 07-17-2022
* 15:30:42

REGNO.: 73257-050 NAME: BORTOLOTTI, JAMES

PROJECTED SATISFACTION DATE.....: 04-05-2023
PROJECTED SATISFACTION METHOD....: FSA REL
WITH FSA CREDITS INCLUDED....: 15

REMARKS.....: 01-11-2022 VS TO FTD E/ECP

G0000 TRANSACTION SUCCESSFULLY COMPLETED